

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

William Mashburn et al.

Serial No. 09/870,191

Filed: May 30, 2001

For: Device and Process for Pulverizing  
Solid Materials

Group Art Unit: 3725

Examiner: Mark Rosenbaum

Applicant Docket No. 2077US

**ASSERTION OF SMALL ENTITY STATUS UNDER 37 CFR §1.27**

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

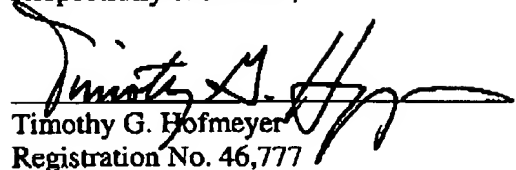
Dear Sir:

Icoria, Inc.  
108 T.W. Alexander Drive  
P.O. Box 14528  
Research Triangle Park, NC 27709-4528

I hereby assert that in the matter of application number 09/870,191, the above-identified business qualifies as a small entity for the purpose of paying reduced fees to the United States Patent and Trademark Office. Icoria, Inc., is a small business concern, as defined in 13 CFR part 121. The number of employees of the concern, including those of its affiliates, does not exceed 500 persons. Furthermore, Icoria, Inc., has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license any rights in the invention of the application identified above to any person, concern, or organization which would not qualify for small entity status.

Respectfully submitted,

Dated: Nov. 1, 2004

  
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